

DECLARATION
AND POWER OF ATTORNEY
Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled TREATMENT AND DIAGNOSIS OF PROSTATE CANCER the specification of which

(Check One)

☐
☒

is attached hereto OR
was filed on April 9, 1997 as United States Application Serial No. 08/838,682 or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Date of Filing | Priority Claimed | |
|--|---------|----------------|------------------|----|
| | | | Yes | No |
| | | | | |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date |
|-----------------------|---------------|
| 60/016,976 | May 6, 1996 |
| 60/022,125 | July 18, 1996 |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application Number | PCT Parent Number | Parent Filing Date | Status-Patented, Pending or Abandoned |
|-----------------------------------|-------------------|--------------------|---|
| | | | |

POWER OF ATTORNEY. I, a named inventor, hereby appoint as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr., Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,848; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,395; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; Lois M. Kwasigroch, Reg. No. 35,579; Lawrence R. LaPorte, Reg. No. 38,948; Robert C. Laurenson, Reg. No. 34,206; Carol A. Schneider, Reg. No. 34,923; Hope E. Melville, Reg. No. 34,874; Michael J. Wise, Reg. No. 34,047; Richard J. Warburg, Reg. No. 32,327; Kurt T. Mulville, Reg. No. 37,194; Theodore S. Maceiko, Reg. No. 35,593; Bruce G. Chapman, Reg. No. 33,846; F. T. Alexandra Mahaney, Reg. No. 37,668; Stephen S. Korniczky, Reg. No. 34,853; James P. Brogan, Reg. No. 35,833; David A. Randall, Reg. No. 37,217; Christopher A. Vanderlaan, Reg. No. 37,747; and

_____, Reg. No. _____.

| | | |
|---|---|---|
| Send Correspondence to: Lois M. Kwasigroch | LYON & LYON LLP 633 W Fifth St., Suite 4700 Los Angeles, CA 90071 | Direct Telephone calls to: (213) 489-1600 Lois M. Kwasigroch, Extension 3378 |
|---|---|---|

Residence, post office address, citizenship and signature of inventor(s) set forth beginning on next page.

EXPRESS MAIL
EL360933793US
ATTY. DKT. 266/187

| | | | | | |
|-----|-------------------------|--------------------|--------------------------------------|----------------------------------|-------------------|
| | FULL NAME OF INVENTOR | FIRST Name Neil | MIDDLE Initial H. | LAST Name Bander | |
| 201 | RESIDENCE & CITIZENSHIP | City Chappaqua | State or Foreign Country New York | Country of Citizenship U.S.A. | |
| | POST OFFICE ADDRESS | 2 Hemlock Hills | City Chappaqua | State or Country New York | Zip Code 10514 |
| | FULL NAME OF INVENTOR | FIRST Name | MIDDLE Initial | LAST Name | |
| 202 | RESIDENCE & CITIZENSHIP | City | State or Foreign Country | Country of Citizenship | |
| | POST OFFICE ADDRESS | | City | State or Country | Zip Code |
| | FULL NAME OF INVENTOR | FIRST Name | MIDDLE Initial | LAST Name | |
| 203 | RESIDENCE & CITIZENSHIP | City | State or Foreign Country | Country of Citizenship | |
| | POST OFFICE ADDRESS | | City | State or Country | Zip Code |
| | FULL NAME OF INVENTOR | FIRST Name | MIDDLE Initial | LAST Name | |
| 204 | RESIDENCE & CITIZENSHIP | City | State or Foreign Country | Country of Citizenship | |
| | POST OFFICE ADDRESS | | City | State or Country | Zip Code |
| | FULL NAME OF INVENTOR | FIRST Name | MIDDLE Initial | LAST Name | |
| 205 | RESIDENCE & CITIZENSHIP | City | State or Foreign Country | Country of Citizenship | |
| | POST OFFICE ADDRESS | | City | State or Country | Zip Code |
| | FULL NAME OF INVENTOR | FIRST Name | MIDDLE Initial | LAST Name | |
| 206 | RESIDENCE & CITIZENSHIP | City | State or Foreign Country | Country of Citizenship | |
| | POST OFFICE ADDRESS | | City | State or Country | Zip Code |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | |
|-----------------------|---------|
| Signature of Inventor | 201 |
| Date | 7/14/99 |
| Signature of Inventor | 202 |
| Date | |
| Signature of Inventor | 203 |
| Date | |

| | |
|-----------------------|-----|
| Signature of Inventor | 204 |
| Date | |
| Signature of Inventor | 205 |
| Date | |
| Signature of Inventor | 206 |
| Date | |

(Signatures should conform to names as presented at 201 et seq. above.)

ASSIGNMENT

Docket 242/024
EXPRESS MAIL
EL360933793US
ATTY. DKT. 266/187

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, (I) ~~(we)~~ the undersigned,

NEIL H. BANDER

Hereby sell, assign and transfer to:

CORNELL RESEARCH FOUNDATION, INC.

a corporation of The State of New York, having a place of business at Cornell Business & Technology Park, 20 Thornwood Drive, Suite 105, Ithaca, New York, 14850 its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 08/838,682, filed April 9, 1997, entitled

TREATMENT AND DIAGNOSIS OF PROSTATE CANCER

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements, execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date 7/2/97 NEIL H. BANDER (LS.)

Date _____ (LS.)

Date _____ (LS.)



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 28, 1997

PTAS

NIXON, HARGRAVE, DEVANS & DOYLE LLP
PETER ROGALSKYJ, ESQ.
CLINTON SQUARE
P.O. BOX 1051
ROCHESTER, NEW YORK 14603



100543623A

Docket 242/024
EXPRESS MAIL
EL360933793US
ATTY. DKT. 266/187

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/16/1997

REEL/FRAME: 8712/0831
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
BANDER, NEIL W .

DOC DATE: 07/02/1997

ASSIGNEE:
CORNELL RESEARCH FOUNDATION, INC.
20 THORNWOOD DRIVE
SUITE 105
ITHACA, NEW YORK 14850

SERIAL NUMBER: 08838682
PATENT NUMBER:

FILING DATE: 04/09/1997
ISSUE DATE:

RENE FOSTER, EXAMINER
ASSIGNMENT DIVISION
U.S. DEPT. OF PUBLIC RECORDS

ENTERED
NHDD

DEC - 4 1997

FILE 19603/1172
DKT dlf

09-30-1997

EXPRESS MAIL
EL360933793US
ATTY. DKT. 266/187

To the Honorable Commissioner
document or copy thereof:



100543623

ease record the attached original

RECEIVED
SEP 16 1997
RECEIVED

11/11/97

1. Name of conveying party:

Neil H. Bander

2. Name and address of receiving party:

Cornell Research Foundation, Inc.

20 Thornwood Drive, Suite 105

Ithaca, New York 14850

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other: _____

Execution Date(s):

1st (sole) Inventor: July 2, 1997

2nd Inventor:

3rd Inventor:

4th Inventor:

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date(s) of the application is(are):

1st (sole) Inventor:

2nd Inventor:

3rd Inventor:

4th Inventor:

A. Patent Application No. 08/838,682


B. Patent No.(s)

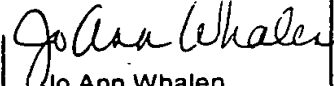
E

EXPRESS MAIL
EL360933793US
ATTY. DKT. 266/187

| | |
|--|---|
| 5. Name and address of party to whom correspondence concerning document should be mailed: Peter Rogalskyj, Esq. Nixon, Hargrave, Devans & Doyle LLP Clinton Square P. O. Box 1051 Rochester, New York 14603 | 6. Total number of applications and patents Involved: 1 |
| | 7. Total fee (37 CFR 3.41) \$40.00 <input type="checkbox"/> Previously paid (see original transmittal) <input checked="" type="checkbox"/> A check in the amount of \$40.00 is enclosed. |
| | 8. Deposit Account Number: 14-1138 <input type="checkbox"/> Charge total fee to account. <input checked="" type="checkbox"/> Charge any additional fees to account. |

DO NOT USE THIS SPACE

| | | |
|--|--|-----------------------------------|
| 9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. | | |
| <u>Peter Rogalskyj</u> Name of Person Signing | <u></u> Signature | <u>September 10, 1997</u> Date |
| [Total number of pages including cover sheet, attachments and document: 3] | | |

| | |
|--|---|
| Certificate of Mailing - 37 CFR 1.8(a) | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C 20231 on the date below. | |
| <u>9/11/97</u> Date | <u></u> Jo Ann Whalen |